

Remarks/Arguments

This amendment is in response to the Office Action dated December 21, 2004.

Claims 1, 11, 16, 24, 26 and 27 remain in this application. Claims 2-6 have been previously canceled. Claim 10 has been canceled.

Claims 1, 10, 11 16, and 26 have been rejected under 35 USC 102(b) by US 5,108,704 (Bowers et. al.). Applicant disagrees.

Bowers et al shows the use a molded upper plate portion, the inner wall of which contains a shoulder or as it is specifically described in Bowers "a smooth "S"-shaped surface 17...." (Column 5, lines 58-59). Nowhere in Bowers is a continuous roll of inner wall material shown as is required by the present claims. The Office Action states the "S"-shaped portion or shoulder 17 of Bowers is such a continuous roll. However the plain and clear teachings of Bowers clearly contradicts such an interpretation.

Moreover, the Figure shown in the office action is that of Figure 11. In this embodiment, Bowers clearly and specifically teaches that it is an annular element 96, the bottom of which is applied to the upper surface of the filter 70 that is used to hold the filter in place. (Column 8, lines 48-63). Again the element 17 is described as being a "S"-shaped shoulder (line 63). Again there is not teaching of the use of a continuous roll of inner wall material to hold the filter in place. Instead there is a separate annular member 96 that is press fit into the lower plate to hold the filter in place.

In order for the reference to be an anticipatory reference it must teach and every claimed element of the claim. The Bowers reference fails to teach a continuous roll of the inner wall material. Instead at best it teaches the use of annular member to do so. This is quite unlike the claims of the present invention.

As such, Applicant believes the 102 rejection is improper as the reference fails to teach each and every claimed element of the present invention and respectfully requests that it be withdrawn.

Claim 24 has been rejected under 35 USC 103(a) over Bowers et. al. in view of Aysta et.al. (US 5,264,184).

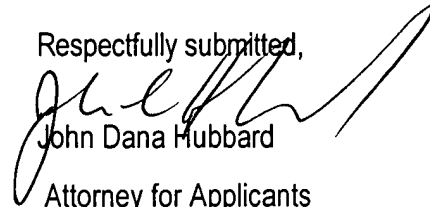
The Office Action states Aysta shows the use of a separation layer 28 held to the bottom of a well by a ring and that the layer can be a plurality of layers of material. It asserts that it would have been obvious to use the layer of Aysta in Bowers "wherein upon modification the continuous roll formed by the shoulder 17 of Bowers would contact the top surface of the multi-layered filter of Aysta".

Applicant disagrees. As shown above Bowers fails to teach or suggest the use of a continuous roll of material from the inner wall to hold the filter in place. Instead it uses an annular member to do so. The combination of Bowers and Aysta fails to teach or suggest the present claim 24 as the combination fails to teach or suggest the use of a continuous roll of material of the inner wall to hold the filter in place. At best one can envision that one could use the annular member 96 of Bowers with the layer of Aysta but that does not render claim 24 obvious to one of ordinary skill in the art.

Claim 27 has been objected to and the above amendment places that claim in condition for allowance.

Reconsideration and allowance of the remaining claims is respectfully requested in view of
the foregoing amendment and remarks.

Respectfully submitted,



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